



U.S. Department of Justice

Environment and Natural Resources Division

REPLY TO:

James R. MacAyeal, Trial Attorney
Environmental Enforcement Section
P.O. Box 7611
Washington, DC 20044-7611

Telephone (202) 616-8777
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June 6, 1997

Mr. Jeffrey Apperson, Clerk
United States District Court
Western District of Kentucky
501 West Broadway, Room 231
Louisville, KY 40202

Re: United States v. Hardy, et al, No. C90-0695-L(J)

Dear Mr. Apperson:

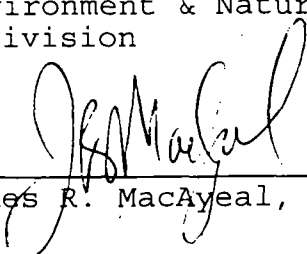
Please find enclosed for filing the original and several copies of the United States' Authorization for the Hofgesang Foundation to Incur Attorney's Fees. Please return the file-stamped copies to the undersigned in the enclosed addressed envelope with postage prepaid.

Thank you very much for your assistance.

Sincerely,

Assistant Attorney General
Environment & Natural Resources
Division

By:


James R. MacAyeal, Trial Attorney

cc: Mark R. Feather, Esq.



10875971

— THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	Civil Action Nos. 90-0695-L(J)
)	90-0792-L(J)
BEN HARDY, et al.,)	
)	
Defendants.)	
_____)	

AUTHORIZATION FOR THE HOFGESANG
FOUNDATION TO INCUR ATTORNEY'S FEES


— Plaintiff the United States of America, by its attorneys,
hereby authorizes The Hofgesang Foundation, Inc. (the
"Foundation") to incur attorney's fees in the amount of \$10,000
in connection with the matter of Hansford v. Hofgesang
Foundation, Inc. and to pay those fees as they are billed to the
Foundation in the customary manner by Brown, Todd & Heyburn.
Pursuant to the Consent Decree previously entered by the Court,
the United States must approve "necessary and reasonable
attorney's fees to protect any rights relating to any Settlement
Asset which is or becomes the subject of litigation" and the
approval must be reflected in a written document filed with the
Court. Accordingly, based on the budget that the Foundation has
submitted, the United States approves the expenditure of \$10,000
for attorney's fees billed by Brown, Todd & Heyburn in its

~~—customary manner in connection with the matter of~~ Hansford v.
Hofgesang Foundation, Inc. The United States will consider the
authorization of the remaining expenditures requested in the
budget if and when the authorized \$10,000 in fees has been
exhausted.

Dated: June 6, 1997

Assistant Attorney General
Environment & Natural Resources
Division

By:


JAMES R. MacAYEAL, Trial Attorney
Environmental Enforcement Section
Environment and Natural Resources
Division
United States Department of Justice
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__OF COUNSEL: _____

ROBERT CAPLAN

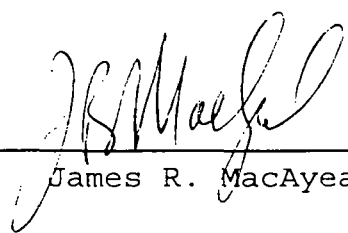
Associate Regional Counsel

Environmental Protection Agency, Region IV

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on this 6th day of June 1997, he caused a copies of the foregoing to be served by depositing same in the U.S. Mails, in a properly addressed envelope with postage prepaid, to:

Mark R. Feather, Esq.
Brown, Todd & Heyburn
3200 Providian Center
Louisville, KY 40202-1087



James R. MacAyeal